

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	Cr. No. 6:10-296-HMH
)	
vs.)	
)	OPINION & ORDER
Jamad Ali,)	
)	
Defendant.)	

This matter is before the court on the Defendant's motion for a sentence reduction pursuant to the First Step Act, Pub. L. No. 115-391, December 21, 2018, 132 Stat. 5194. The Fair Sentencing Act of 2010 reduced the sentencing disparity between cocaine base and powder cocaine offenses. Pub. L. No. 111-220, August 3, 2010, 124 Stat. 2372. The First Step Act made the Fair Sentencing Act retroactive. Pub. L. No. 115-391, December 21, 2018, 132 Stat. 5194. The Defendant argues that he is entitled to relief under the First Step Act.

On July 5, 2011, the Defendant pled guilty pursuant to a plea agreement to one count of conspiracy to possess with intent to distribute 5 kilograms or more of cocaine and a quantity of marijuana in violation of 21 U.S.C. §§ 841(b)(1)(A) and 851, and one count of money laundering in violation of 18 U.S.C. § 1956. The Defendant's statutory mandatory minimum was 20 years' to life imprisonment. On October 25, 2011, the Defendant was sentenced to 240 months' imprisonment. The Defendant appealed his conviction and sentence. The United States Court of Appeals for the Fourth Circuit dismissed the appeal on March 15, 2012. United States v. Ali, No. 12-4018 (4th Cir. Mar. 15, 2012) (unpublished).

After review, the Defendant's motion is denied because the First Step Act does not reduce the statutory penalties associated with his conviction involving 5 kilograms or more of

cocaine under 21 U.S.C. § 841(b)(1)(A). Based on the foregoing, the Defendant's motion, docket number 1023, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

May 4, 2020
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

Movant is hereby notified that he has the right to appeal this order within fourteen (14) days from the date hereof, pursuant to Rule 4 of the Federal Rules of Appellate Procedure.